

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

OLCAN III PROPERTIES, LLC

*

Plaintiff,

*

v.

*

Civil Action No. 1:22-cv-02456-LKG

AMERICAN TOWER CORPORATION

*

Defendant.

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* * * * *

**DEFENDANT AMERICAN TOWER CORPORATION’S
STATEMENT OF REMOVAL PURSUANT TO STANDING ORDER 2021-13**

Defendant, American Tower Corporation (“ATC”),¹ by and through its undersigned counsel, pursuant to Local Standing Order 2021-13, hereby provides the following statement justifying the removal of the litigation to this Court.

1. ATC was sent a copy of the Complaint and Summons via electronic mail on August 19, 2022. To date, ATC has not been properly served with the Complaint and Summons.

2. Upon becoming aware of the lawsuit, counsel for ATC had conversations with counsel for Plaintiff, OLCAN III Properties, LLC (“OLCAN”) in an attempt to reach a resolution. Because no compromise was reached, ATC elected to remove this litigation from the Circuit Court of Baltimore City to this Court, despite not being served with the Complaint and Summons. Accordingly, Defendant’s Notice of Removal [ECF No. 1] was timely under 28 U.S.C. § 1446(b).

¹ ATC is not a party to the easement agreement discussed in the Complaint and has no privity of contract with OLCAN. As a result, ATC is not the proper defendant.

3. ATC, is a Delaware corporation with its principal address at 116 Huntington Ave., Boston, MA 02116.

4. OLCAN is a Maryland limited liability company with its principal place of business in Maryland. OLCAN's sole member is Mehran Sadeghi, a Maryland resident whose last known address is 438 North Crain Highway, Glen Burnie, MD 21061.

5. The Complaint demands judgment in excess of seventy-five thousand dollars (\$75,000), exclusive of interest and costs.

6. Jurisdiction in this Court is proper under 28 U.S.C. §§ 1332 and 1441(b), because the amount in controversy exceeds the sum or value of \$75,000 and there is complete diversity of citizenship.

Respectfully submitted,

Dated: October 5, 2022

/s/ Douglas A. Sampson
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Counsel for Defendant, American Tower Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of October, 2022, a copy of the foregoing American Tower Corporation's Statement of Removal Pursuant to Standing Order 2021-13 was served on all parties via the CM/ECF system. A hard copy was also sent via first-class mail, postage prepaid to:

Richard J. Hackerman
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3635 Old Court Road, Suite 208
Baltimore, Maryland 21208

Counsel for Plaintiff

/s/ Douglas A. Sampson
Douglas A. Sampson (Bar No. 19800)